

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LARRY CECIL CABELKA,

Defendant.

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Civil Action No. 7:16-cv-00126-O-BP

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. No objections were filed, and the Magistrate Judge's recommendation is ripe for review. The District Judge reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the undersigned District Judge is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and they are accepted as the findings and conclusions of the Court.

Accordingly, it is **ORDERED** that Jared and Bonnie Cabelka's Motion to Dismiss (ECF No. 182) is **GRANTED in part without prejudice** to the extent it seeks dismissal under Rule 12(b)(5) or Rule 12(b)(6), and **DENIED in part as MOOT** to the extent it seeks dismissal under Rule 12(b)(2) and Rule 12(b)(4).

SO ORDERED on this **8th day of January, 2018.**



Reed O'Connor
UNITED STATES DISTRICT JUDGE